

11/24/2004 9:06 AM

ORDINANCE NO. 04-/§

**“AN ORDINANCE AMENDING TITLE 15 BY ADDING
A NEW CHAPTER 150.40-101, et seq.,
WHICH SHALL BE KNOWN AS THE SIGN CONTROL ORDINANCE
OF THE VILLAGE OF ROUND LAKE PARK”**

WHEREAS, the Board of Trustees of the Village of Round Lake Park, on recommendation of the Planning Department and the Building Inspector, and in reliance upon the work product and advice of the Plan Commission and the Zoning Board of Appeals of the Village of Round Lake Park, deem it necessary to regulate exterior signing and banners, and other variations thereof, on buildings within the Village; and

WHEREAS, in order to provide for aesthetic, environmental and other matters to more adequately insure the public health, safety and well-being within the Village; and

WHEREAS, the Corporate Authorities of the Village deem it appropriate and necessary to do so.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Round Lake Park, Lake County, Illinois, as follows:

SECTION I: That the above recitals be and are hereby incorporated by reference and made a part of this Ordinance as findings of fact herein.

SECTION II: The Municipal Code of the Village of Round Lake Park be and is hereby amended at Title 15 by adding a new chapter to be known as Chapter 150.40, Section 101, et seq., which shall read in its entirety as follows:

“150.40 Sign Control Provisions

light source is not maintained in a stationary condition or constant in intensity and color at all times when such sign is illuminated.

13. Free-Standing Canopy. Any self-supported canopy constructed of metal or other incombustible or fire resistant materials, whether or not attached to another structure, such as commonly found over gasoline service areas at service stations and other drive through facilities.
14. Gross Surface Area of Sign. The entire area within a single continuous perimeter of a geometric shape which encloses the extreme limits of characters, lettering, illustrations, ornamentation, or other figures together with any material, or color forming an integral part of the display. Structural supports with no sign copy shall not be included in the gross surface area, however, if any portion of the required structural support becomes enclosed for decorative or architectural purposes, it will then be included in the total gross surface area of the sign. A simple geometric shape will be drawn around the extreme limits to determine the gross surface area.
15. Ground Sign. Any free standing sign, except temporary signs, placed upon the ground or supported by uprights or braces placed in the ground, and not attached to any building, fence or other permanent structure.
16. Illegal Signs. Any sign not installed in conformance with this Chapter or approved variation.
17. Illuminated Sign. Any sign which has characters, letters, figures, designs or outline illuminated by electric light, luminous tubes or any other means of illumination, either internal or external, to the sign structure.
18. Incombustible Material. Any material which will not ignite at or below a temperature of 1200 degrees Fahrenheit and will not continue to burn or glow at that temperature.
19. Install. To build, construct, attach, hang, place, suspend, affix or the painting of a sign.
20. Legal Non-Conforming. Any sign which is not in conformance with this Chapter but was lawfully existing at the time of the adoption of this Chapter.
21. Marquee. A permanent roof like structure made of durable, rigid material extending from the entrance of the building over a pedestrian or vehicular thoroughfare. A marquee is supported by the exterior wall of the building and contains a signboard.
22. Monument Sign. A low ground sign displayed on a decorative structure of brick, wood or metal which is intended to serve as an entry feature or a focal point of a development.

35. Signable Area. That portion of a building face designated for signage including but not limited to the cornice, transom, mansard, or storefront glass. The guiding principal in determining signable area will be the architecture of the building. The signable area must be a continuous space unbroken by setbacks or architectural details. On contemporary buildings, signage is generally located on a sign frieze above the doorways, on the glass storefront or on the cap as an identification tag for the entire building. On traditional buildings, signage is generally located on the cornice, transom, storefront glass or as a small tablet on the columns or keystone of the building.
36. Street Clocks. Any time piece installed on the exterior of any building or structure, maintained for the purpose of advertising a place of business or for the convenience of the public, which overhangs a pedestrian or vehicular thoroughfare.
37. Structural Support. Any battens, mailing strips, and platforms which are necessary to support or affix a sign to a site or building.
38. Tablet. A small bronze or cut masonry sign, affixed to the exterior of a building, for the purpose of indicating an occupant of the building or the date in which the building was erected.
39. Temporary Sign or Advertising Banner. A non-permanent sign installed, affixed or maintained on a premises for a short, fixed, period of time not to exceed thirty (30) days..
40. Traffic Signs. Any sign listed in the "Rules of the Road" for the sole purpose of indicating traffic regulations.
41. Vehicular Thoroughfare. Any roadway, parking lot or drive open to the use of vehicular traffic.
42. Wall Sign. A sign which is placed flat against, or no more than 12 inches from, an exterior wall or mansard roof of a building.

Section 150.40-102 Permits Required

Except as otherwise provided in this Chapter, it shall be unlawful for any person to install, alter, relocate or maintain within the Village, any sign as defined in this Chapter, without first obtaining a sign permit from the Building Commissioner and making payment of the appropriate fee. In all districts, all illuminated signs shall be subject to all the applicable electrical provisions of this Chapter and the fees required thereunder.

Repairs or replacements of lamps, transformers, ballasts, wiring, sockets, switches, photocell neon tubes are considered repairs and do not require a permit. Alteration of candle power output to

dimension greater than 4 feet.

3. Political signs shall not be installed more than sixty days prior to the election and must be removed by the person who installed or caused the installation of the sign not more than ten days after the election to which they relate.
4. Unless other specific criteria is listed in this section, all political signs must comply with the appropriate size Sections of this Chapter, and all signs prohibited elsewhere by code are prohibited here.

G. Civic Events Sign

Section 150.40-104 Applications for Sign Permit

Application for sign permit shall be made on forms provided by the Building Commissioner and shall contain or have attached thereto the following information:

- A. Name, address and telephone number of the applicant and the person installing the sign.
- B. Location of building, structure, or lot to which or upon which the sign is to be attached or installed.
- C. Position of the sign in relation to buildings or structures on the lot illustrating all necessary dimensions upon a plat of survey.
- D. Blue prints or ink drawings of the plans and specifications and methods of construction and attachment to the building, other structure or in the ground.
 1. The design and size, structural details, materials and colors, and placement on the premises of a proposed sign or sign structure;
 2. Current color photographs showing existing signs on the premises and adjacent property, and the date on which said photographs were taken; and
 3. Statement denoting the aggregate size of all signs existing on the premises at the time of making such application.
- E. As required by the Building Commissioner, a copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other applicable provisions of this Chapter.
- F. Written consent of the owner of the building, structure or land to which or on which the sign

The Building Commissioner shall inspect as a part of the annual business inspection, and at such other times as he deems necessary, each sign which extends over or which can topple upon a pedestrian or vehicular thoroughfare for the purpose of ascertaining whether the sign is secure or whether it is in need of removal or repair. In those instances when the permittee does not need a business license, the permittee shall pay to the Village an annual fee, and receive an annual inspection report. No inspection fee other than the permit fee as required in this Section shall be charged during the calendar year in which the sign is installed. The Inspection fees shall be as follows:

- A. Inspection Fees. All Signs, Canopies, Awnings and Street Clocks: \$15.00, plus \$0.15 per square foot of gross surface area of each face thereof.
- B. Reinspection: \$15.00, plus \$0.15 per square foot of gross surface area of each face thereof.

Section 150.40-109 Unsafe and Unlawful Signs

If the Building Commissioner finds that any sign is unsafe, not secure, or a menace to the public safety, or has been constructed or installed or maintained in violation of the provisions of this Chapter, he or she shall give written notice to the permittee. If the permittee fails to remove or alter the sign so as to comply with this Chapter within twenty days after receipt of the notice, the sign may be removed by the Building Commissioner at the expense of the permittee or the owner of the property on which it is located. The Building Commissioner may cause any sign which is an immediate peril to persons or property to be repaired or removed summarily and without notice, at the expense of the permittee or the owner of the property on which it is located. Any expenses for the repair or removal, if not paid within thirty days after the Village has issued a statement therefor, shall be a lien upon the real property on which the sign is or was located. Notice of the lien may be filed by the Village in the offices of the Lake County Recorder or the Registrar of Titles. The Village is not responsible for the condition or storage of signs removed after the twenty day notice period.

Section 150.40-110 Removal of Signs for Businesses No Longer on Premises

Any sign and its support structure, now or hereafter existing, which advertises a business no longer being conducted, or a product no longer being sold, shall be taken down and removed by the owner, agent or person having the beneficial use of the building, structure or premises upon which the sign is found within 30 days of the discontinuance of the business on the premises. If the owner, agent or person having the beneficial use of the subject premises fails to remove the sign and support structure after written notification from the Building Commissioner, mailed by certified mail, return receipt requested, within the time specified in the notice or such reasonable time to which the period may be extended by the Building Commissioner, the Building Commissioner is hereby authorized to cause removal of such signs and any expense incident thereto shall be paid by the owner, agent or person having the beneficial use of the building, structure or premises to which such sign is attached. Any expense not paid within thirty days after the Village has issued a statement therefor shall be a lien

Section 150.40-117 Illumination: Hours of Operation

Illuminated signs located on a lot adjacent to or immediately across the street from any residential district shall be turned off at all times between the hours of 11:00 P.M. and 7:00 A.M. when the business is not in operation, unless the permittee shall show good cause to the Village Board why the sign should not be turned off.

Section 150.40-118 Illumination Standards for Signs Installed after March 1, 1982

- A. In no case shall the lighting intensity of any internally illuminated sign exceed 250 foot candles when measured, flush and in contact with the face of the sign, with Weston foot candle meter, model 614, or similar apparatus capable of making comparable measurements.
- B. Before a sign is illuminated for regular use, the sign shall be certified by the sign installer to be in compliance with all provisions of this Chapter. Such written certification shall be filed with the Building Commissioner within seven days after the sign is installed.

Section 150.40-119 Obstruction to Doors, Windows or Fire Escapes

No sign shall be installed, relocated or maintained so as to prevent free ingress to, or egress from any door, window or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape.

Section 150.40-120 Signs Not to Constitute Hazard to use of Pedestrian or Vehicular Thoroughfare

No sign shall be installed or maintained in such a manner as to obstruct free and clear vision, distract the attention of the driver of any vehicle by reason of the position, shape or color thereof, or impede travel by pedestrians or bicyclists.

- A. No sign shall be installed or maintained so as to be likely to interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.
- B. No sign shall make use of the words "go", "look", "slow", "danger", or any other similar word, phrase, symbol, character, resemblance of traffic signs, or employ any red, yellow, orange, green or other colored lamp or light in such a manner as to interfere with, mislead or confuse traffic.
- C. A sign extending over a vehicular thoroughfare must have 13' 6" of clearance. A sign extending over a pedestrian thoroughfare must have eight feet of clearance. 13' 6" of clearance must be provided under signs where vehicles may pass. 8 feet of clearance must be provided under signs where pedestrians may pass.

- G. It shall be unlawful for any person to display upon any sign any obscene indecent or immoral matter as determined by the Village Board.

Section 150.40-122 Legal Non-Conforming Signs

A lawfully established sign which becomes non-conforming with respect to this Chapter on the effective date thereof, or as a result of any subsequent amendment thereto, may remain except as provided in this Section. A sign, illegal at the time of the adoption of this ordinance, shall not become a non-conforming sign by reason of such adoption, but shall remain an illegal sign.

- A. When the business or organization which the non-conforming sign serves is discontinued, such sign shall be made to conform to the regulations of this Chapter or be removed.
- B. When a sign or portion thereof is non-conforming, it shall not be enlarged, added to, or otherwise altered in any manner except as may be required by law, unless it is made to conform with the regulations of this Chapter.
- C. Repairs necessary in the ordinary course of operation for a non-conforming sign shall be permitted except that no structural alterations shall be permitted, unless such structural change is for the purpose of conforming with the regulations of this Chapter.
- D. A non-conforming sign which becomes damaged, destroyed, or deteriorates to the extent of 50% of its replacement value shall be removed, not restored, unless it is made to conform with the regulations of this Chapter.
- E. A non-conforming sign shall not be moved in whole or part to any other location on the lot, except as required by law, unless every portion of the sign has been made to conform to all of the regulations of this Chapter.
- F. All signs which are non-conforming shall be removed or made to conform with this Chapter by April 30, 2006.

Section 150.40-301 Location

- A. No ground sign, except for those permitted in Article II of this Chapter shall be installed in any zoning district
- B. No ground sign shall be nearer a public right-of-way than the following:
- | | |
|-------------------------------------|-----------------------------|
| Industrial I - 1 & 1-2 | 10 feet behind the easement |
| Commercial C-1, C-2, C-2a, C-3, C-4 | 4 feet behind the easement |
| Residential R-1, R-2, R-3, R-4, R-5 | 2 feet behind the easement |

- A. No ground sign shall have a height more than 16' 6" above the level of the adjacent grades on which the sign is located and upon which the sign faces. In cases where the grade has been artificially raised through berming or planters, that height will be considered part of the sign itself and therefore included in the calculation for the total height of the sign.
- B. Ground signs supported above the ground level in an area where pedestrians may reasonably be expected to pass beneath or within 2 feet shall have no less than 8 feet of open space between the ground and bottom of the sign, and if vehicles may reasonably be expected to pass beneath or within two feet, the sign shall have no less than 13' 6" of open space between the ground and the bottom of the sign structure.
- C. Except for signs regulated by zoning district in Article II, the maximum allowable area of a ground sign is determined on the basis of the width and posted speed limit of the public right-of-way abutting the property on which the sign is located.

Section 150.40-304 Construction

All ground signs shall have a facing of incombustible or approved combustible material, provided, however, that incombustible structural trim may be used thereon.

Section 150.40-401 Location

- A. No wall sign, except for those permitted in Article II of this Chapter, shall be erected and installed in any zoning district.

Each business establishment is permitted one wall sign per street frontage.

- B. No sign shall extend more than 12 inches beyond the wall or structure to which it is attached, and if attached to a wall or other structure so as to be suspended above a vehicular thoroughfare, such sign shall be attached at a height of not less than 13' 6" or if it is suspended above a pedestrian thoroughfare, such sign shall be attached at a height of not less than 8 feet.

Section 150.40-403 Dimensions

- A. A wall sign to be installed on a wall with openings shall be no larger than 45% of the total signable area, or a maximum of 150 square feet, whichever is less. If the building wall that the sign is to be installed on is set back from the right-of-way more than 150 feet, the petitioner shall be allowed one additional square foot of signage for each lineal foot beyond the 150 foot setback, but in no instance shall the sign exceed 40% of the signable area.

If a building is setback from the property line more than 150 feet, the wall sign is permitted to

- B. A boulevard banner may only be displayed on a light pole and may not extend higher than that pole. The lower bracket used to display the banner must be installed at a height of at least eight feet if in an area where pedestrians may reasonably be expected to pass under or within 2 feet of or 13' 6" if it is an area where vehicles will pass under or within 2 feet of.

Boulevard banners must be mounted to allow a minimum of 13' 6" clearance over vehicular thoroughfares and 8 feet over pedestrian thoroughfares.

- C. Boulevard banners shall only be displayed on privately owned light standards (poles) located in the parking lots or along the driveways of the center. In no instance shall a banner be installed closer than 3 feet from the property line or extended between two poles.
- D. Display brackets must be removed when not in use or folded against the pole.

Section 150.40-502 Number

- A. Individual banner(s) shall be considered a single banner for purposes of this Chapter. Two banners displayed on a single light standard shall be considered two banners. No more than two banners shall be displayed on a single light pole and in no instance shall a banner be installed closer than 100 feet from any other pole on which a banner is mounted.
- B. Banners may not exceed 21 square feet per face and shall have no more than two sign faces. Only the area of the actual banner itself shall be counted in determining the area of the sign face. A variance can be submitted to the Business Development Committee with final approval by the Village Board.

Section 150.40-503 Signage

Banners of the type permitted by this Chapter may display the name and/or logo of the shopping center or planned unit development, the address or location of the shopping center or planned unit development, seasonal messages or graphics, and information announcing Village-wide events. Not more than 25% of the area of the banner face may display the name or logo of the shopping center or planned unit development; however, in no instance may the banner be used to display the name, logo or specific promotion of an individual business within the shopping center or planned unit development.

Banners which advertise a specific store's sales or event are strictly prohibited in the Village unless a permit is issued.

Section 150.40-504 Permits and Inspections

- A. Banners which display a seasonal message or event must be removed within 30 days after the

Section 150.40-602 Location

- A. No temporary sign shall extend over or into any thoroughfare, a distance greater than 4 inches from the wall to which it is attached.
- B. No temporary sign shall be placed or project over any wall opening or be otherwise installed so as to prevent free ingress to or egress from any door, window or fire escape.
- C. No temporary sign shall be attached to any standpipe or fire escape.

Section 150.40-603 Construction

Every temporary sign shall be attached to the wall, other structure or ground with wire or steel cables or approved supports. All methods of installation must be approved by the Building Commissioner.

Section 150.40-701 Canopies, Awnings and Marquees

- A. Location and Dimensions.
 - 1. Canopies, awnings, and marquees shall be constructed and installed so that the lowest portion of the projecting frame thereof shall not be lower than 8 feet above a pedestrian thoroughfare or lower than 12 feet above a vehicular thoroughfare. The depending skirt shall not be lower than 6 inches below the canopy, awning or marquee.
 - 2. No canopy, awning, or marquee shall extend beyond a point 2 feet behind the curb line.
 - 3. No door canopy, awning, or marquee shall be wider than the entrance or entrances of the building from which it extends, plus 5 feet on either side thereof.
- B. Construction.
 - 1. Canopies, awnings, or marquees may be constructed of cloth, metal or other approved material. All frames and supports shall be of metal, shall be designed to withstand a wind pressure of not less than 30 pounds per square foot, and shall be approved by the Building Commissioner.
 - 2. Marquees must meet all applicable building codes with regards to materials, roof drainage, structural. It must be supported solely by the building, and is not permitted to be installed on a building of wood frame construction.

above the sidewalk and shall not project from the face or wall of the building or structure beyond a point 2 feet behind the curb line.

2. No Street Clocks shall be installed on any public right-of-way without the consent of the Village Board of Trustees.
3. The dial of Street Clocks shall not be more than 36 inches in diameter.

B. Construction.

1. All Street Clocks shall be constructed entirely of noncombustible material.
2. Any transparent material forming a part of a Street Clock or the sign thereon shall be safety glass, tempered plate glass at least 1/4 inch thick, or an approved plastic such as polycarbonate securely held in place.
3. Any cover or service opening of a Street Clock shall be securely fastened by metal hinges.

C. Clocks installed on the exterior wall of any building or structure shall comply with the regulations for wall signs in this Chapter.

D. Clocks supported on a pole or column shall comply with the regulations for ground signs in this Chapter.

E. Signs where the current time and/or temperature is indicated by intermittent lighting shall be permitted if the lighting changes are limited to the numerals indicating the time and/or temperature and are not more frequent than every 15 seconds.

F. Except for the name or logo of the owner and the business, industry or pursuit conducted with the premises, no sign may be painted or otherwise permanently placed on a Street Clock.

Section 150.40-901 Variations

In cases where there are particular or peculiar hardships in carrying out the literal provisions of this Chapter, the applicant shall apply to the Business Development Committee for a variation from such provisions. The Business Development Committee will render a decision and submit to the Board of Trustees a recommendation, where a variation may be granted, denied, or modified provided that any variation granted, will be in harmony with the general provisions of this Chapter.

Section 150.40-902 Standards

penalty is not specifically provided shall, upon conviction, be subject to a fine of not less than \$25.00, nor more than \$750.00, and the costs of prosecution. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

Section 150.40-1002 Revocation of Permits

In addition to issuing a citation and proceeding to seek a fine for a violation of any provision of this Chapter, the Building Commissioner is hereby authorized to revoke any permit issued by him upon the permittee's failure to comply with the provisions of this Chapter within such reasonable time as established by the Building Commissioner in a written notice to the permittee, delivered personally or by certified mail, return receipt requested, which notice shall specify the particulars in which the sign fails to comply with the provisions of this Chapter. Upon revocation of the permit, maintenance of the sign shall be unlawful and the permittee shall remove the sign. Upon the permittee's failure to remove the unlawful sign, the Building Commissioner may cause the sign to be removed, in accordance with the procedures established in Section 40-109

SECTION III: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

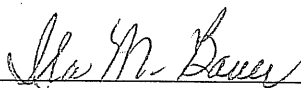
PASSED AND APPROVED by the President and Board of Trustees of the Village of Round Lake Park, Lake County, Illinois, this 7th day of December, 2004.

Passed:

Published:


Approved:

APPROVED:



Village President
Village of Round Lake Park

ATTEST:



Village Clerk
Village of Round Lake Park